

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #: 2/18/08  
DATE FILED: 2/18/08

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GENERAL ELECTRIC CAPITAL CORP., : 07 Civ. 9715 (RJH)

Plaintiff, :

-against- : ORDER

NEW YORK MEG, L.L.C., *ET AL.*, :

Defendants. :

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SIDNEY H. STEIN, U.S. District Judge.

A pretrial conference having been held today, with counsel for all parties present,

IT IS HEREBY ORDERED that for the reasons set forth on the record, plaintiff's motion for a declaratory judgment and injunctive relief is granted to the extent that plaintiff is entitled to a judgment declaring that: the Master Security Agreement is a valid contract, plaintiff performed under it, New York Meg, L.L.C. breached it, plaintiff has suffered damages, and plaintiff may avail itself of the remedies available to it under the Master Security Agreement. The motion is denied to the extent it seeks a preliminary injunction on the grounds that plaintiff has not shown irreparable injury. Plaintiff is directed to give New York Meg, L.L.C. five days' notice if it elects to remove the equipment, as agreed to by the parties at oral argument on February 27, 2008.

Dated: New York, New York  
March 18, 2008

SO ORDERED:

  
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Sidney H. Stein, U.S.D.J.